

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AUTO INDUSTRIES SUPPLIER
EMPLOYEE STOCK OWNERSHIP
PLAN (ESOP),

Plaintiff,

v.

Case No. 03-74357

SNAPP SYSTEMS, INC., a
Delaware Corporation,

HONORABLE AVERN COHN

Defendant/Third-Party Plaintiff,

v.

FORD MOTOR COMPANY,

Third-Party Defendant.

/

ORDER

This is a breach of contract case. The Court has heard testimony over five days regarding SNAPP's damages, particularly relating to the expert report by Thomas Frazee.

This Order memorializes the Court's comments at the end of the hearing on May 5, 2008 and charts the future course of the case.

1. The parties shall advise the Case Manager by Wednesday, May 7, 2008 as to the status of pending motions.
2. As to SNAPP's motion for affirmative relief (docket # 533), Ford shall file a response by Monday, May 12, 2008. SNAPP may file a reply within 5

days thereafter.

3. Within 15 days, SNAPP shall advise the Court and Ford if it intends to revise the Fazee report in light of the testimony at the hearing.
4. If SNAPP does not revise the Fazee report, Ford shall, within 15 days thereafter, file an amended motion to strike. The pending motion requires amendment in light of the testimony at the hearing. SNAPP shall file a response within 15 days thereafter.
5. If SNAPP intends to revise the Fazee report, SNAPP shall submit a revised report within 30 days.
6. Upon receipt of a revised Fazee report, Ford shall file an amended motion to strike within 30 days. SNAPP shall file a response within 15 days thereafter.
7. Upon receipt of Ford's amended motion to strike, SNAPP may ask the Court for another hearing regarding damages, which shall include a proffer regarding the additional testimony it seeks.

Any objections to this order shall be filed within 5 days.

SO ORDERED.

Dated: May 6, 2008

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, May 6, 2008, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160